## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAREN SNYDER, CHERYL : CIVIL ACTION

ROBINSON-KELLY, BARBARA

FREDERICI and KIMBERLY NIEDRIST,

Individually and on Behalf of All
Others Similarly Situated

:

v. :

:

HOLY REDEEMER HEALTH SYSTEM, :
d/b/a HOLY REDEEMER HOSPITAL, :
THE HOLY REDEEMER HEALTH :

SYSTEM PENSION PLAN COMMITTEE

and DOE DEFENDANTS 1-20 : NO. 17-960

## **ORDER**

**NOW,** this 7th day of February, 2018, upon consideration of the Motion of Defendant, Holy Redeemer Health System, Inc. d/b/a Holy Redeemer Hospital, to Dismiss Amended Class Action Complaint (Document No. 13), the plaintiffs' response, and the defendants' reply, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

## IT IS FURTHER ORDERED as follows:

- 1. To the extent the motion seeks to dismiss the case for lack of subject matter jurisdiction, it is **DENIED**.
- 2. To the extent the motion seeks dismissal under Fed. R. Civ. P. 12(b)(6), it is converted to a motion for summary judgment.

/s/TIMOTHY J. SAVAGE